



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Alan Scott Industries
File: B-228756.2
Date: November 6, 1987

DIGEST

A contracting agency's responsibility for determining its actual needs includes determining the type and amount of testing necessary to ensure product compliance with specifications, and the General Accounting Office will not question such a determination absent a clear showing that it was arbitrary or capricious.

DECISION

Alan Scott Industries (ASI) protests the award of any contract under solicitation number YPM-87-03-0011, issued by the Defense Personnel Support Center (DPSC), Philadelphia, Pennsylvania, seeking oral quotations under small purchase procedures for medical instruments.

ASI contends in broad, general terms that the solicitation specifications which provide for testing to ensure compliance with specification requirements should not be applied to ASI because ASI had previously supplied the requested items to DPSC in compliance with the specifications. ASI argues that the provisions requiring testing to ensure compliance with the specifications will result in additional costs to the protester and the government.

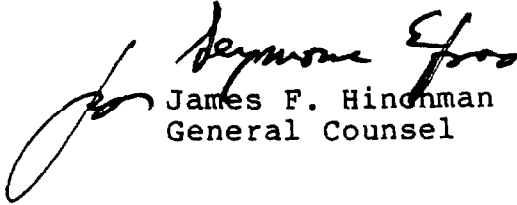
A contracting agency's responsibility for determining its actual needs includes determining the type and amount of testing necessary to ensure product compliance with the specifications. Lunn Industries, Inc., B-210747, Oct. 25, 1983, 83-2 C.P.D. ¶ 491. Our Office will not question such a determination absent a clear showing that the determination was arbitrary or capricious. Snowbird Industries, Inc., B-226980, June 25, 1987, 87-1 C.P.D. ¶ 630.

040535

134356

ASI has provided no evidence to show that DPSC's determination to require quality assurance testing is arbitrary or capricious.

The protest is denied.



James F. Hinchman
General Counsel